

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

JOHN JAY CONDON,	)	
	)	
Plaintiff	)	
	)	
v.	)	Civil No. 1:16-cv-00372-JAW
	)	
RODNEY BOUFFARD, et al.,	)	
	)	
Defendants	)	

**AFFIDAVIT OF SCOTT MCCAFFERY**

SCOTT MCCAFFERY, being under oath, does hereby depose and say:

1. I am employed by the Maine Department of Corrections as its Director of Classification. In that capacity, I act as the Commissioner's designee in arranging transfers of prisoners to out-of-state correctional facilities under the Interstate Corrections Compact. The statements in this affidavit are made from my personal knowledge and from information in DOC records in my custody.

2. In mid-May of 2014, I received a letter from Rodney Bouffard, who was then the warden of the Maine State Prison. Warden Bouffard asked me to explore transferring prisoner John Condon to an out-of-state facility.

3. Maine transfers prisoners to other states on a one-for-one exchange basis, and it often requires some time to find a state interested in sending a prisoner to Maine in exchange for accepting a Maine transfer. Although Condon expressed a strong preference to be transferred back into the federal prison system, states placing prisoners in that system must pay the federal government to incarcerate them, whereas prisoner exchanges with other states under the

Interstate Compact are at no additional cost to the sending state. For this reason, Maine tries to avoid transferring prisoners to the federal system whenever possible.

4. After some time, I negotiated a transfer of Condon to the Florida Department of Corrections in the fall of 2014, and Condon left the Maine State Prison on October 28, 2014.

5. Once a prisoner is transferred to another state, the Maine Department of Corrections does not have any say in what facility of the transferee state the prisoner is placed in, or in any classification or security level decisions. The decision of the Florida Department of Corrections allegedly to place Condon in a maximum security facility and segregated confinement was made by that agency, without input from or consultation with the Maine Department of Corrections.

Signed under the penalty of perjury this 27<sup>th</sup> day of February, 2018.

/s/ Scott McCaffery  
Scott McCaffery

Subscribed and sworn before me, this 27<sup>th</sup> day February, 2018.

Lawrence D. Austin  
Notary Public  
My commission expires: June 3, 2024